

DISTRICT JUDGE'S MINUTES
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA – PHOENIX

U.S. District Judge: Susan R. Bolton

Date: July 29, 2021

USA v. Abdul Malik Abdul Kareem

Case Number: CR-15-00707-001-PHX-SRB

Assistant U.S. Attorney: Kristen Brook and Joseph Koehler (both appearing telephonically)
Attorney for Defendant: Daniel Maynard and Daniel R. Drake, CJA (both appearing telephonically)

Interpreter: N/A

Defendant: ☐ Present ☒ Not Present ☐ Released ☒ Custody ☐ Summons ☐ Writ

This is the time set for Telephonic Status Conference regarding the scheduling of the Re-Sentencing Hearing. Discussion held regarding the Government's three in-custody witnesses (as noted in the parties' Joint Status Report at Doc. 691). The Court is advised that the identities and location of said witnesses have not yet been disclosed to Defense counsel. Government's counsel requests that said witnesses be permitted to appear by video teleconference ("VTC") in lieu of being transported from out of state to the Re-Sentencing hearing, and the Court grants the request. Government's counsel advises it will need one hour each for their witnesses.

Defense counsel advises the Court that Defendant intends on calling individuals to dispute the character of the Government's witnesses, as well as interviewing and calling to testify the four ATF agents who conducted the investigation. Defense counsel advise that they filed a Rule 16 request on April 1, 2021 to obtain information regarding said witnesses. Discussion held. The Court suggests that counsel negotiate a protective order agreement to disclose the identities of the Government's witnesses. Regarding the ATF agents, Government's counsel advises the Court that the Government will be submitting to the Court the agents' reports of investigation.

Scheduling of Re-Sentencing discussed. Counsel are advised the Court will be setting this matter the week of October 18 after it consults with the court's IT department regarding the availability of the VTC equipment. An updated presentence investigation report will be prepared for Re-Sentencing.

LATER: IT IS ORDERED setting Re-Sentencing on **October 19, 2021, at 9:30 a.m.** in Courtroom 601. Government's counsel and Defense counsel are advised that it is their responsibility to arrange for the VTC appearance of their witnesses. IT IS FURTHER ORDERED directing counsel to advise this Court's courtroom deputy no later than **August 19, 2021**, regarding the point of contact at the Bureau of Prisons ("BOP") in order for this Court's systems department to verify with BOP personnel whether they have the necessary equipment reserved and what connection method they will be able to support for the in-custody witnesses.

Court Reporter Hilda Lopez

Deputy Clerk Maureen Williams

Start: 10:30 AM

Stop: 10:55 AM